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JAMIE ROMEO

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March 12, 2024

Via Email: FacultySenate@UR.Rochester.edu

Faculty Grievance Committee

Re: Ranga P. Dias Grievance – Removal of Students

Dear Members of the Faculty Grievance Committee,

Thank you for your recent communication confirming that the Faculty Grievance Committee has begun to review documents in response to my grievance. I am grateful for the opportunity to address the esteemed members of the Faculty Grievance Committee. Your dedication to fairness and integrity in resolving academic disputes is deeply appreciated. However, I must acknowledge the gravity of the challenge before us. Exposing the false narrative perpetuated by the University and its administration regarding the removal of my students has been a daunting task, compounded by concerns about potential reprisals. Despite these obstacles, I am committed to seeking truth and justice, and I place my trust in this committee to ensure a fair and impartial resolution. Thank you for your unwavering support as we navigate through these complexities together. With this communication, I intend to answer your initial questions outlined in your communication.

With respect to my initial grievance, my August 7, 2023, and all of my communications leading up to my October 10, 2023 letter, together, comprise my grievance related to Dean Heinzelman's and the University of Rochester's unilateral decision to remove all of my students from my teaching, advising and mentoring and the resulting violations of my academic freedoms.

* * *

With respect to my pre-interview statement indicating what I intend to demonstrate to the Committee, I intend to demonstrate the following:

1. As of August 3, 2023, Dean Heinzelman and Provost Figlio were already working together against me in connection with a research misconduct investigation resulting from a March 16, 2023, referral from NSF in response to various criticisms from several of my scientific and professional rivals regarding my research on superconductivity. Attached hereto as Exhibit 1 is a copy of the NSF referral letter.

2. Pursuant to the University of Rochester's Policy on Research Misconduct, the investigation was directed by Dean Heinzelman and overseen by Provost Figlio when the investigation began in approximately March 2023. Attached hereto as Exhibit 2 is

a copy of the Policy on Research Misconduct.

3. On August 3, 2023, I was summoned to a meeting by Dean Heinzelman who, in that meeting, informed me of her decision to remove all my students from my lab and from my teaching, advising, and mentoring. On the same day, I subsequently received an email communication from Dean Heinzelman in which she confirmed her decision to remove all my students from my lab and from my teaching, advising, and mentoring. Attached hereto as Exhibit 3 is a copy of Dean Heinzelman's email.

4. On its face, Dean Heinzelman's email confirms several irrefutable facts that I intend to highlight for the Committee. Those facts are:

    a. Dean Heinzelman admits that she made the decision to remove my students;

    b. Dean Heinzelman had not yet met with each of the students as of that date;

    c. There had been no prior discussion with me about any "concerns";

    d. Dean Heinzelman did not have answers to my questions as of August 3, 2023; and

    e. Absent from Dean Heinzelman's email is any indication of a specific request by any student to discontinue their association with my laboratory or mentorship.

5. On August 7, 2023, I communicated to Dean Heinzelman my concerns regarding the hastiness of her decision to remove all my students with no advance communications with me. I also informed Dean Heinzelman of my concerns regarding her decision in the context of her role in ongoing research misconduct investigation. Specifically, I informed Dean Heinzelman of my concerns about what I referred to as the "unintended" consequence of creating a persistent bias and prejudice against me, which could have far-reaching implications. Attached hereto as Exhibit 4 is a copy of my August 7, 2023, letter to Dean Heinzelman.

6. Knowing what I know now, it appears that Dean Heinzelman's decision to remove all my students was in fact intended to create the appearance of wrongdoing while biasing and prejudicing the students and to impact their involvement in the research misconduct investigation under the direction of Dean Heinzelman.

7. On August 18, 2023, I communicated to Dean Heinzelman that my graduate students expressed a desire to continue their work within my laboratory, yet they were not accorded this option. On the contrary, these students were informed that continuing to collaborate with me was not viable. They communicated to me that they were directed by the University to seek alternative departments or advisors. Although these students expressed their intention to continue their involvement in my lab, they acknowledged the absence of choice and were disconcerted by the prospect of dissenting from the University's decision. Attached hereto as Exhibit 5 is a copy of my August 18, 2023,

letter to Dean Heinzelman.

8. On September 8, 2023, I communicated to Provost Figlio certain information that came to my attention in the context of the ongoing research misconduct investigation involving Dean Heinzelman's participation with the students that she removed from my lab in requesting a retraction of a paper that was the subject of the research misconduct investigation being performed under the direction of Dean Heinzelman. I intend to highlight for the committee the fact that Dean Heinzelman was "working in the background" during the ongoing investigation to remove my students and to request a retraction of a paper that was the subject of the investigation. This is unprecedented interference and undue influence by Dean Heinzelman. Attached hereto as Exhibit 6 is a copy of my September 8, 2023, letter to Provost Figlio.

9. On September 18, 2023, Provost Figlio communicated to me his determination that all my graduate students requested to be reassigned away from my lab. Attached hereto as Exhibit 7 is a copy of Provost Figlio's September 18, 2023 letter. I intend to highlight for the committee how this information is not true but instead appears to confirm a coordinated effort by Provost Figlio, as he is overseeing the research misconduct investigation to support Dean Heinzelman's unilateral decision to remove all my students in furtherance of her undue influence in the research misconduct investigation.

10. On September 27, 2023, I provided Provost Figlio with specific information that expressly refuted his determination that my graduate students requested to be reassigned. Attached as Exhibit 8 is a copy of my September 27, 2023 letter to Provost Figlio.

11. On October 4, 2023, I received a communication from Kevin McFarland requesting additional information from me regarding how all of the aforementioned conduct by Dean Heinzelman and Provost Figlio affected my "academic freedom". Attached hereto as Exhibit 9 is a copy of Kevin McFarland's communication to me.

12. On October 10, 2023, I provided Provost Figlio with a comprehensive report describing how Dean Heinzelman's decision to remove my students from my lab and his decision ratifying Dean Heinzelman's conduct impacted numerous academic freedoms. Attached as Exhibit 10 is a copy of my October 10, 2023 letter.

13. On October 25, 2023, I was advised by the Co-Chair of the Faculty Senate that my grievance concerns should be directed to the UCTP. See Exhibit 11 attached hereto.

14. On November 17, 2023, at the direction of the Co-Chair of the Faculty Senate, I forwarded my grievance concerns and documentation to the Faculty Senate Committee on Tenure and Privileges. Attached as Exhibit 12 is a copy of my letter to the UCTP.

15. On December 5, 2023, the UCTP wrote a letter to Provost Figlio confirming that the UCTP had determined that my grievance did not involve any academic freedoms and therefore I was not entitled to a grievance committee. Attached hereto as Exhibit 13 is

a copy of the UCTP's determination letter.

16. On December 15, 2023 Provost Figlio continue to assert that my students requested to be reassigned from my lab in his letter that was forwarded to me by Kevin McFarland. I intend to highlight for the committee that Provost Figlio's letter appears to indicate that there was some process for me to follow regarding continuing mentoring and/or advising the students that had been removed. This is contrary to the actions taken by Dean Heinzelman and Provost Figlio. Attached as Exhibit 14 is Provost Figlio's December 15, 2023 letter.

17. On December 28, 2023, I responded to Kevin McFarland noting affidavits from my students that expressly contradicted the representations from Dean Heinzelman and Provost Figlio that those students requested to be removed from my lab and removed from my teaching, advising, and mentoring. Attached as Exhibit 15 is a copy of my email to Kevin McFarland.

18. On December 30, 2023, Kevin McFarland continued to advance the narrative that my students requested to be removed from my lab and my teaching, advising, and mentoring in his email communication to me. Attached as Exhibit 16 is a copy of Kevin McFarland's email.

19. I intend to highlight for the committee that between August 2023, through the end of the year in 2023, Dean Heinzelman, Provost Figlio, Assistant Provost McFarland and the University of Rochester continued the narrative that my students requested to be reassigned and removed from my lab and removed from my teaching, advising, and mentoring. This narrative was not true.

20. On January 3, 2024, the University of Rochester was provided with affidavits from my students who confirmed that they did not request to be reassigned but instead they were informed by the University of Rochester that they were being reassigned to a new advisor. Attached hereto as Group Exhibit 17 are copies of redacted affidavits from my graduate students.

21. I intend to highlight for the committee that the two affidavits from my graduate students clearly negate the false narrative that was being put forth by Dean Heinzelman, Provost Figlio and Assistant Provost McFarland for more than four months while my grievance was being denied based on the misrepresentations from Dean Heinzelman, Provost Figlio and Assistant Provost McFarland.

22. On January 12, 2024, the UCTP confirmed to me that they had received the student affidavits, and the affidavits were being considered by the UCTP in the context of my request for a grievance committee. Attached hereto as Exhibit 18 is a copy of the UCTP's email.

23. On January 15, 2024, the UCTP confirmed that "based on the affidavits received 1/10/24 that the grievance does merit a hearing committee." Attached hereto as Exhibit 19 is a copy of the UCTP's email.

24. I intend to highlight for the committee that my request for a grievance committee was delayed more than four months by the false narrative put forth by Dean Heinzelman, Provost Figlio and Assistant Provost McFarland that my students requested to be reassigned and removed from my lab and removed from my teaching, advising, and mentoring.

25. I intend to highlight for the committee that the false narrative propagated by Dean Heinzelman, Provost Figlio and Assistant Provost McFarland only came to light as a result of the courage of my graduate students, in the face of potential retaliation by the University of Rochester, to tell the truth.

26. I intend to highlight for the committee the truth, which is that Dean Heinzelman and Provost Figlio, as the persons directing and overseeing the then pending research misconduct investigation, used their positions to remove my students from my lab and from my teaching, advising, and mentoring in order to create the appearance of wrongdoing and bias and prejudice my students in terms of the research misconduct investigation.

It is evident from the detailed chronology of events presented that the narrative perpetuated by Dean Heinzelman, Provost Figlio, and Assistant Provost McFarland regarding my students' purported request to be removed from my lab and academic guidance was false and served as a catalyst for violations of my academic freedoms. More specifically, the removal of my students and the subsequent false narrative orchestrated by Dean Heinzelman, Provost Figlio, Assistant Provost McFarland, and the University has resulted in several violations of my academic freedoms, which in part include the following:

Freedom of Inquiry and Research: As a researcher, I have the academic freedom to pursue scholarly inquiry without interference or intimidation. However, the removal of my students from my lab directly impedes my ability to conduct research effectively. By unilaterally severing my mentorship and collaboration with my students, the administration infringed upon my freedom to pursue scientific inquiry in the manner I deem fit.

Freedom of Teaching and Advising: Academic freedom extends to the classroom and advising relationships. The decision to remove my students not only disrupted my ongoing teaching commitments but also undermined my autonomy as an academic advisor. My rights to guide and mentor students in accordance with my professional judgment were disregarded, thereby violating my academic freedom in teaching and advising.

Freedom of Expression: Academic freedom encompasses the right to freely express ideas and opinions without fear of censorship or retribution. The false narrative propagated by the administration misrepresented my interactions with my students, distorting the truth and potentially damaging my reputation. This misinformation campaign curtailed my ability to express myself authentically and defend my professional integrity.

Freedom from Retaliation and Coercion: Academic freedom also includes protection from retaliation or coercion for exercising one's rights or challenging institutional decisions. The

administration's actions, including the dissemination of false information and obstruction of the grievance process, created a hostile environment that deterred me from asserting my rights and seeking redress. This suppression of dissent constitutes a violation of my academic freedom to engage in critical discourse and challenge institutional policies.

Freedom to Participate in Governance: Academic freedom encompasses the right to participate in institutional governance processes without fear of reprisal. However, the administration's manipulation of the grievance procedure, coupled with the dissemination of false narratives, undermined my ability to engage meaningfully in the university's decision-making processes. By obstructing my access to due process and fair treatment, the administration violated my freedom to participate in governance and advocate for my rights within the academic community.

This erroneous narrative not only hindered the grievance process but also prejudiced the ongoing research misconduct investigation. Their actions not only undermined academic integrity but also infringed upon my rights as a faculty member. It is only through the courage of my graduate students, who bravely spoke out against this narrative despite potential repercussions, that the truth has come to light. It is imperative for the committee to recognize the manipulation of power dynamics by individuals in authoritative positions to perpetuate falsehoods and hinder due process.

Overall, the removal of my students and the subsequent cover-up orchestrated by the administration constitute a multifaceted assault on my academic freedoms. These violations not only impede my professional autonomy and scholarly pursuits but also undermine the foundational principles of academic integrity and institutional governance. It is imperative for the committee to address these grievances and uphold the principles of academic freedom to ensure a fair and just resolution to this matter.

* * *

I would like the committee to review all the documents included herewith as well as the documents that I have previously provided to the UCTP and/or the Faculty Senate.

* * *

As for potential witnesses, I am providing you with a list of the following persons who should be interviewed by the committee:

1. Affiant A – Identity to disclosed with assurances that the student will not be subject to retaliation by Dean Heinzelman, Provost Figlio, Assistant Provost McFarland and the University of Rochester;

2. Affiant B - Identity to disclosed with assurances that the student will not be subject to retaliation by Dean Heinzelman, Provost Figlio, Assistant Provost McFarland and the University of Rochester;

The anticipated testimony from the students who signed affidavits confirming that they did

not request to be removed from my lab nor from my teaching, advising, or mentoring, but were instead informed by the University of their immediate reassignment, is expected to provide crucial insight into the truth behind the removals. Their firsthand accounts will contradict the false narrative perpetuated by the University and its administration, revealing the unilateral and involuntary nature of their reassignments. By corroborating my assertions and dispelling the misinformation propagated by the University, their testimony will underscore the need for transparency and accountability in administrative actions.

3. Renato Perucchio
   Chair, Department of Mechanical Engineering
   Professor, Department of Mechanical Engineering
   Professor, Department of Biomedical Engineering
   Program Director, Archaeology, Technology, and Historical Structures

4. John Lambropoulos
   Professor, Department of Mechanical Engineering
   Professor, Materials Science
   Senior Scientist, Laboratory for Laser Energetics
   Distinguished Scientist, Laboratory for Laser Energetics (LLE)
   Materials Science Graduate Recruiting Committee

   As the professor from whom multiple students were removed from my lab and my teaching, advising, and mentoring roles, I anticipate that the forthcoming testimony from the current department chair and former chair will illuminate the procedural irregularities surrounding these removals. Their firsthand insights, particularly from being present in the initial meeting where the dean announced the decision, are poised to shed light on the lack of proper consultation and adherence to due process. I expect their testimony to contradict the claims made by the dean's office and the provost, asserting that the students requested to leave and were given ample time to remain in the group. Their accounts will clarify that these assertions do not align with the actual events.

   Furthermore, I believe their testimony will address the broader implications of the dean's actions, emphasizing how the premature removal of multiple students amidst an ongoing investigation may have unfairly cast aspersions on my conduct prior to any conclusive findings. This action not only breached standard procedural norms but also contributed to an atmosphere of bias and a lack of transparency within the investigative process. I anticipate that their statements will underscore the importance of due process and highlight the detrimental impact of its violation on the integrity of administrative proceedings and the fair treatment of individuals involved.

* * *

I want to express my sincere appreciation for the time and attention the committee has dedicated to addressing my grievance. I am profoundly grateful for your commitment to fairness and justice in considering my concerns. It's important to acknowledge that until January 10, 2024, the UCTP had been primarily relying on information provided by Dean Heinzelman and Provost Figlio, which unfortunately led to the denial of my request for a grievance hearing committee.

However, upon receiving the student affidavits, the UCTP was able to ascertain the truth and has acted accordingly by determining that my grievance warrants a hearing committee. Your dedication to impartiality and adherence to the facts underscore the integrity of this process. Your support and guidance give me hope that my concerns will be addressed equitably. Should you require any additional information or clarification from me, please feel free to reach out. Thank you once again for your unwavering commitment to upholding academic integrity and ensuring a fair resolution.

Sincerely,

Ranga Dias

Enclosures

cc: Renato Perucchio
Chair, Department of Mechanical Engineering
Professor, Department of Mechanical Engineering
Professor, Department of Biomedical Engineering
Program Director, Archaeology, Technology, and Historical Structures
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